



Image

1641

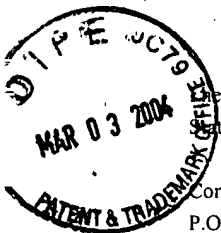
PTO/SB/21 (08-03)

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/072,295	
	Filing Date	February 5, 2002	
	First Named Inventor	Chapman, William H.	
	Art Unit	1641	
	Examiner Name	Cook, Lisa V.	
Total Number of Pages in This Submission		Attorney Docket Number	021739-000120US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Townsend and Townsend and Crew LLP Kenneth E. Jenkins, Ph.D. Reg. No. 51,846	
Signature	<i>Kenneth E. Jenkins</i>	
Date	March 1, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Kathryn A. Degliantoni		
Signature	<i>Kathryn A. Degliantoni</i>	Date	March 1, 2004



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PATENT

Attorney Docket No.: 021739-000120US

On March 1, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Kathryn A. Degliant

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

William H. Chapman, Jr., et al.

Application No.: 10/072,295

Filed: February 5, 2002

For: SEPARATING COMPONENTS OF  
BIOLOGICAL SAMPLES

Customer No.: 20350

Confirmation No. 1026

Examiner: Cook, Lisa V.

Technology Center/Art Unit: 1641

RESPONSE TO RESTRICTION  
REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed January 28, 2004, Applicants elect, with traverse, the claims of Group I (Claims 1-14) for prosecution on the merits drawn to a method of processing a biological sample by creating a covalent adduct of a target species and a separation agent.

Applicant requests reconsideration of Groups I and II as independent inventions. The invention claimed by Applicants arises out of a common inventive concept or idea. The common, novel concept of this invention is that a separation reagent containing a microparticle

Appl. No. 10/072,295  
Amdt. dated 3/1/2004  
Reply to Office Action of January 28, 2004

PATENT

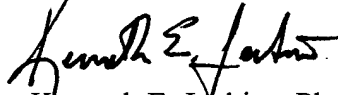
attached to a receptor is useful for separating components of a biological sample. Each of the claims of groups I and II arise out of this common, novel idea.

In addition, Applicants respectfully remind the Examiner that in order to properly restrict the claims, there must be *serious* burden on the Examiner if the claims are not restricted (see MPEP §803). Because the claims are closely related by a common inventive concept, the burden on the Examiner to search claims covering the common inventive concept is minimal.

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Kenneth E. Jenkins, Ph.D.  
Reg. No. 51,846

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
Attachments  
KEJ:kej  
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